



NEWS RELEASE

OFFICE OF THE UNITED STATES ATTORNEY
WESTERN DISTRICT OF MISSOURI

TODD P. GRAVES

Contact Don Ledford, Public Affairs • (816) 426-4220 • 400 East Ninth Street, Room 5510 • Kansas City, MO 64106

www.usdoj.gov/usao/mow

APRIL 28, 2004

FOR IMMEDIATE RELEASE

Audio comments from U.S. Attorney Todd P. Graves (in MP3 format) and the government's Motion for an Upward Departure (in .pdf format) are available to download from the district's Web site at www.usdoj.gov/usao/mow.

FULTON MAN SENTENCED FOR OBSCENITY, CHILD PORNOGRAPHY

JEFFERSON CITY, Mo. – Todd P. Graves, United States Attorney for the Western District of Missouri, announced that a Fulton, Mo., man was sentenced in federal court today on child pornography and obscenity charges.

Jack Wayne Rogers, 58, of Fulton, Mo., was sentenced by U.S. District Judge Scott O. Wright this afternoon to 30 years in federal prison without parole. The court also ordered **Rogers** to forfeit to the government an eMachine computer and a Hewlett-Packard Pavilion Notebook computer that were used to commit the offenses.

Graves noted that the court granted an upward departure from the federal sentencing guidelines, which provided a sentencing range of 57 to 71 months.

“We filed the motion for an upward departure because the federal sentencing guidelines don’t adequately reflect the extreme circumstances of this case, or the danger this defendant poses to the community,” Graves said. “We are pleased the court agreed that Jack Rogers deserved a prison sentence above the guidelines. Child pornography and obscenity are bad enough, but the circumstances of this case are gruesome and revolting in the extreme.”

On Nov. 12, 2003, **Rogers** pleaded guilty all counts of an 11-count superseding indictment returned by a federal grand jury in Jefferson City on June 20, 2003. Graves explained that the superseding indictment includes two counts of possession of child pornography, five counts of distribution of child pornography, and three counts of distribution of obscene materials.

The superseding indictment also contains a federal forfeiture count.

Graves cited the large amount of child pornography as one reason for seeking the upward departure. “Investigators found more than 1,000 images of child pornography at **Rogers’** home, and even more at his business office,” Graves said. “The sheer volume of child porn, and the nature of the obscene material, justify a lengthy prison term.”

Among the obscene material was evidence that **Rogers** performed nullification – the removal of other males’ sexual organs – and cannibalism. **Rogers**, who is not a licensed health care provider, removed the sexual organs of another man and took photographs of the procedure. Those photographs included images of the removed organs on a dinner plate and images of **Rogers** ingesting the removed body parts. The nullification activities were also featured on a Web site and those photographs sent to others via the Internet.

Serious complications resulted from the nullification procedure, Graves added, and the subject had to seek medical treatment. Graves added that **Rogers** performed nullifications on other occasions.

Graves noted that **Rogers** was convicted on federal child porn charges in 1992, and pleaded guilty to all 11 charges in this indictment. That background, Graves said, indicates that “this defendant would likely repeat his criminal behavior if given the chance.

“Given this pattern of behavior,” Graves said, “it’s obvious that we need to protect society from **Jack Wayne Rogers** by punishing him to the full extent of the law.”

Graves also referred to computer chats in which **Rogers** details the abduction and mutilation of a young man. “No criminal charges have been filed related to those statements,” Graves said, “but even if they are accepted as fantasy, they are very troubling in light of **Rogers’** admitted criminal conduct.”

On March 18, 2003, federal law enforcement officers executed a search warrant at **Rogers’** home. Two computers – an eMachine and a Hewlett-Packard Pavilion Notebook computer – were seized from the home and examined by the State Technical Assistance Team.

By pleading guilty to Count One of the federal indictment, **Rogers** admitted that the computers contained numerous images depicting minors engaged in sexually explicit conduct that were obtained via the Internet.

On April 9, 2003, state law enforcement officers executed a search warrant at **Rogers’** business at Deck & Decker in Columbia, Mo. Two computers were seized from the business and examined by the State Technical Assistance Team.

By pleading guilty to Count Two of the federal indictment, **Rogers** admitted that one of those computers contained four videos depicting sexually explicit conduct by minor males. In

addition, investigators found a CD which also had images of minor males engaged in sexually explicit conduct.

By pleading guilty to Counts Three through Seven of the federal indictment, **Rogers** admitted that one of the computers seized from his home contained numerous e-mails in which photographs of male children engaged in sexually explicit conduct were attached and sent to various individuals in St. Louis, Mo., Michigan, Colorado, and New York on five separate occasions from Aug. 31, 2001 to May 20, 2002.

By pleading guilty to Counts Eight through Ten of the federal indictment, **Rogers** admitted that he e-mailed obscene, lewd, lascivious pictures and matters of indecent character on three separate occasions from Nov. 24 to Dec. 8, 2002. Those photos depicted male genitalia that had been removed and placed on a dinner plate alongside a knife and fork, which were e-mailed to an individual in Colorado on two occasions. **Rogers** also admitted that he e-mailed those photos as well as a photograph of an adult male after his genitalia had been removed to a person in Washington, D.C., on Nov. 26, 2002.

This case was prosecuted by Assistant U.S. Attorney Lawrence E. Miller. It was investigated by the Federal Bureau of Investigation, the Fulton, Mo., Police Department, the Missouri Board of Healing Arts, the Missouri State Technical Assistance Team and the Missouri State Highway Patrol.

This news release, as well as additional information about the office of the United States Attorney for the Western District of Missouri, is available on-line at

www.usdoj.gov/usao/mow